

# SUBSTITUTE HOUSE BILL 2998

Chapter 150, Laws of 1998

55th Legislature

1998 Regular Session

## LIMITED IMMUNITY FOR USE OF SEMIAUTOMATIC EXTERNAL DEFIBRILLATORS

EFFECTIVE DATE: 6/11/98

AN ACT Relating to limited immunity for use of semiautomatic external defibrillators; and adding a new section to chapter 70.54 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

{+ NEW SECTION. +} Sec. 1. A new section is added to chapter 70.54 RCW to read as follows:

- (1) As used in this section, "defibrillator" means a semiautomatic external defibrillator as prescribed by a physician licensed under chapter 18.71 RCW or an osteopath licensed under chapter 18.57 RCW.
- (2) A person or entity who acquires a defibrillator shall ensure that:
  - (a) Expected defibrillator users receive reasonable instruction in defibrillator use and cardiopulmonary resuscitation by a course approved by the department of health;
  - (b) The defibrillator is maintained and tested by the acquirer according to the manufacturer's operational guidelines;
  - (c) Upon acquiring a defibrillator, medical direction is enlisted by the acquirer from a licensed physician in the use of the defibrillator and cardiopulmonary resuscitation;
  - (d) The person or entity who acquires a defibrillator shall notify the local emergency medical services organization about the existence and the location of the defibrillator; and
  - (e) The defibrillator user shall call 911 or its local equivalent as soon as possible after the emergency use of the defibrillator and shall assure that appropriate follow-up data is made available as requested by emergency medical service or other health care providers.
- (3) A person who uses a defibrillator at the scene of an emergency and all other persons and entities providing services under this section are immune from civil liability for any personal injury that results from any act or omission in the use of the defibrillator in an emergency setting.
- (4) The immunity from civil liability does not apply if the acts or omissions amount to gross negligence or willful or wanton misconduct.
- (5) The requirements of subsection (2) of this section shall not apply to any individual using a defibrillator in an emergency setting if that individual is acting as a good samaritan under RCW 4.24.300.

Passed the House - February 10, 1998.

Passed the Senate - March 3, 1998.

Approved by the Governor - March 25, 1998.

Filed in Office of Secretary of State - March 25, 1998.